

# Renter or Guest? How to Decide?

## MINNESOTA LEGAL GUIDE



### IF THE HOST IS A HOMEOWNER...

#### The Youth could BE THE HOST'S GUEST

##### PROS

- Allows for a more flexible time frame for stay

##### CONS

- Youth does not build a rental history
- If the host wants the youth to leave, youth has less legal protection than the youth would have as a renter
- Youth does not have a permanent address—future property owners won't be able to confirm a rental history

##### ALSO CONSIDER

- Host can end the hosting arrangement at any time.
- What is the plan if the host wants the youth to leave and the youth doesn't want to? (Free mediation services can help a host and youth in this situation. Check out [Community Mediation Minnesota](#).)
- If the youth is a minor, do the youth's parents or guardians know where the youth is? (To understand the potential legal issues and possible solutions when a minor stays with an informal host, see our *Minor Legal Guide*.)

##### EITHER WAY

- Does the youth have health insurance?
- Will the youth be filing taxes on their own? Or will someone claim the youth as their dependent?
- How will the youth get to school?  
If their school has identified the youth as homeless, the McKinney-Vento Homeless Assistance Act requires that the youth receive transportation to and from their "home" school. Contact the school district's McKinney-Vento liaison for more information.

#### The Youth could RENT FROM THE HOST

##### PROS

- Youth starts to build a rental history
- Youth has guaranteed rights as a renter: a full rental period's notice, right to privacy, and the homeowner has to maintain the property

##### CONS

- If youth is not ready to rent, they are at risk of not being able to fulfill the terms of the lease. This could negatively impact their relationship with the host.

##### ALSO CONSIDER

- How might a rental arrangement change the relationship between the youth and host?
- Is the lease written or verbal? In the state of Minnesota, a lease is a verbal or written agreement governing a renter relationship.
- How will the youth pay the rent?
  - Give money to the homeowner?
  - Do chores around the house—beyond just keeping their own space clean? Any regular duties or chores make the youth more likely to qualify as a renter.
- Is the youth ready for the responsibility of renting?
- Is the host ready for the responsibility of housing a renter?
- Would a month-to-month lease make sense?
- Can the youth pay only 30% of their income—the measure of affordability—for rent? Set the youth up for success!
- If the youth is a minor, do their parents or guardians know where the youth is? To understand the potential legal issues and possible solutions when a minor stays with an informal host, see our .

Youth includes anyone under 25 years who is facing housing instability.

DISCLAIMER: CloseKnit's Legal Guides are NOT intended as legal advice. Legal guides are for informational purposes only.

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